

**Memorandum of the Meeting
Twenty-Seventh Town Council
Regular Study Session
Monday, March 05, 2012**

The Highland Town Council met in its standing regular study session on Monday, March 7, 2012 at 7:10 o'clock p.m. in the regular place, the plenary meeting chambers of the Highland Municipal Building.

Silent Roll Call: Councilors Bernie Zemen; Mark Herak; Dan Vassar; Brian Novak and Konnie Kuiper were all present. A quorum was established.

The Clerk-Treasurer, Michael W. Griffin, was present to memorialize the meeting.

Also present: Peter T. Hojnicky, Metropolitan Police Chief; Pat Vassar, Assistant Police Chief; and Kenneth Balon, Police Pension Secretary was also present.

Ed Dabrowski, IT Coordinator (Contract); Karen Ziants and Dawn Wolak of the Community Events Commission were also present.

Residents Joseph Osiecki and John Cheeseman were present.

General Substance of Matters Discussed

1. With leave from the Town Council, Joseph Osiecki, 3332-41st Street, Highland and Jake Cheeseman, 3043 Glenwood Avenue, Highland, discussed their participation in Airsoft guns. Mr. Osiecki discussed the differences between Air-soft and paintball. Mr. Osiecki and Mr. Cheeseman noted that these do not cause damage, and that the Airsoft experience supports young persons "training" to later be in the police or in the military. It was noted that there have been episodes where neighbors have called complaining of the Airsoft activity, with residents suggesting that the guns look very real and the participants do use pullover "masks."

Mr. Osiecki and Mr. Cheeseman suggested that they could take steps to calm neighbors about the activity. They asked for a designated area that could be restricted to airsoft activity. It was further noted that when they confine their activity to backyards of participants who have permission, neighbors still call and complain about the activity.

With leave from the Town Council, Mr. Ed Beatty, 9023 Hess Drive, Highland suggested perhaps that the members of the Police Department volunteer to supervise and guide the activity as a community project, perhaps confining the activity to a specific park. He also suggested that perhaps some additional research could assist in any final response the Town Council may wish to enact.

There was an informal colloquy between and among members of the Town Council, Mr. Beatty, Mr. Osiecki and Mr. Cheeseman regarding the concerns of the Town Council regarding its concerns about safety and mistaking the airsoft guns for real weapons and liability issues. The discussion included whether Wicker Park might be a host site that could work for the airsoft use.

Mr. Osiecki and Mr. Cheeseman departed at this time.

2. The Town Council, the Metropolitan Police Chief, and the Assistant Chief inquired about the disposition of funds on deposit to the Police Pension Fund (1925 Act), noting that the fund had in excess of \$400,000 dollars at the end of 2011. The discussion included the use of the some of the cash balance to pay for the PERF for the Police Department thus freeing up

money to be used for raises. It was noted that the identifiable balance that could be used under that law (IC 36-8-6-5.5), would be likely exhausted after a year and then the clerk-treasurer shared the concern that the plan was not sustainable. It was noted that a barrier to general pay increases is the absence of an identifiable increase to income. The Assistant Police Chief expressed dissatisfaction with this concern and the approach of the Clerk-Treasurer.

The Clerk-Treasurer notes that IC 36-8-6-5.5 allows for the unobligated cash balance at 12/31/2008 in the Police Pension 1925 Fund as well as the taxes in the course of collection but received after December 31 for that year to be used for a series of one time purposes, including paying the employer's share of PERF for the 1977 Plan. This amount is \$214,221.59. It is further noted that the employers' share of public safety PERF is in excess of \$330,000 annually. It was still further noted that once the allowable amount was expended, it was exhausted as it was not provided from a recurrent source. The clerk-treasurer expressed his concern at the absence of sustainability for this funding as it relates to pay raises. The Clerk-Treasurer noted he too wished to have a raise. He further reiterated that he would report whether sustainable resources were present for general raises upon his receipt of the budget order from the DLGF.

The Clerk-Treasurer also reported that as he previously presented, there was an identifiable resource to support a one-time worker bonus for up to \$1,000 per worker for up to 114 full-time workers if the Town Council wished to pursue this course and perhaps later to pursue a general raise.

Councilor Herak noted that the Board of Waterworks Directors and the Board of Sanitary Commissioners both commissioned rate and cost of service studies and both are including consideration for a return on investment component in the rate that could be transfers to the Town General Fund as a new, exogenous source of revenue.

3. The Town Council and the Metropolitan Police Chief reviewed the most recent iteration of suggested amendments to the current parade regulation subchapter in the Highland Municipal Code, Sections 71.21 to 71.34. He represented that the iteration presented was not ready for action and that he would continue to work on the proposed amendment. The Clerk-Treasurer imported the general amendment in to the subchapter of the code for context and indicated that he would provide that to the Police Chief for his use in future iterations.
4. Karen Ziants and Dawn Wolak of the Community Events Commission inquired whether the proposed amendments to the Parade subchapter of the municipal code were going to apply to the Community Events Commission. It was noted that no language was final. Ms. Ziants and Ms. Wolak expressed concerns about the possible adverse effect on the Community Events Commission's ability to provide and organize parades and fireworks if the early provisions of the proposed amendments to the Parade and event chapter were adopted.

Ms. Ziants and Ms. Wolak also requested that the fees for certain vendors be increased, noting that the Town Council under the current enabling ordinance was the authority fixing the fees for the Community Events Commission. The discussion included a consideration of an amendment the enabling ordinance for the Community Events Commission to permit it the Commission to fix its own fees and charges. The Town Council President suggested that perhaps an amendment could be considered by the Town Council at its regular plenary business meeting of Monday, March 12.

5. The Town Council and the Metropolitan Police Chief reviewed the provisions in the proposed amendments to the so-called junk or abandoned car ordinance. The discussion included discussions about the manner in which certain provisions are to be implemented such as the towing provisions. The Town Council President suggested that the proposed ordinance seemed ready for its consideration and asked that it be placed before the Town Council at the next regular plenary business meeting of March 12, 2012.

There being no further business to discuss, the regular study session of Monday, March 05, 2012 was adjourned at 8:17 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer